

PATENT APPLICATION

042390.P6233C

Request for extension of time under 37 C.F.R. §1.136

Assignee herewith petitions the Director of the United States Patent and Trademark Office to extend the time for response to the Office Action dated May 16, 2003 for 3 month(s) from August 16, 2003 to November 16, 2003.

Please charge Deposit Account #02-2686 in the amount of:

_____	(\$110.00 for a one month extension)
_____	(\$410.00 for a two month extension)
<u> X </u>	(\$930.00 for a three month extension)
_____	(\$1,450.00 for a four month extension)

to cover the cost of the extension.

Remarks

Reexamination and reconsideration of this application, as amended, is requested. Claims 30-54 remain in the application. No new claims have been added or canceled.

Applicant believes there is no charge for this response because no new claims have been added.

Allowed Claims

Applicant would like to gratefully acknowledge the Examiner's indication that claims 43-47 and 49 would be allowable if the objection as being dependent upon a rejected base claim were overcome. Rather than incorporate the limitations of one of the allowable dependent claims into the independent claims, Applicant would like to point out why independent claim 30 is allowable and has amended independent claim 54 so that all claims are now believed to be allowable over the art of record.

PATENT APPLICATION

042390.P6233C

Support for Amendments

As indicated above, claim 54 has been amended. Support for the amendments is shown at least by the examples illustrated in FIG. 2 and described on the related text.

Applicant respectfully submits that no new matter has been added.

Response to the 35 U.S.C. §102(e) Rejection

The Office Action rejects claims 50, 51, 53 and 54 under 35 U.S.C. §102(e) as being anticipated by Haneda et al. (US 5,900,848). Applicant believes this rejection has been overcome in view of the amendments made above and the remarks that follow.

As is well-established, in order to successfully assert a *prima facie* case of anticipation, the Office Action must provide a single prior art document that includes every element and limitation of the claim or claims being rejected. Therefore, if even one element or limitation is missing from the cited document, the Office Action has not succeeded in making a *prima facie* case.

Applicant begin with claim 50. Claim 50 has been amended to specifically recite:

"A device comprising:

a base comprising a keyboard to enter data into the device;

a display comprising a viewing surface to display information; and

an attachment means to mechanically and electrically couple the display with the base in a first position wherein the display conceals the keyboard and the viewing

PATENT APPLICATION

042390.P6233C

surface is visible and in a second full input/output position wherein the display does not conceal the keyboard and the viewing surface is visible, the display moving in a direction substantially coplanar with the keyboard as the display is moved from the first position to the second position."

Applicant respectfully submits that Haneda et al. does not meet the requirements of an anticipation rejection in that Haneda et al does not teach or suggest that a display may be moved in a direction that is co-planar with a keyboard.

Applicant respectfully submits that the lid 2 of the electronic device taught by Haneda et al. does not and cannot move in a direction that is substantially coplanar with body 4. Haneda et al. show in FIGs. 8a-8d and state at column 5, line 3, column 5, lines 52-61, and column 8, lines 25-41, that the lid 2 of the device is "rotatable" and moves in a direction that is up and away from body 4. More significantly, lid 2 does not move in a direction such that the display moves in a direction that is coplanar with the keyboard.

Although the scope of Applicant's invention is not limited in this respect, an example of how a display may move in a coplanar direction is shown in Applicant's FIG. 2. As shown, guides are used to manipulate the display 20 so that it moves upward in a direction that is coplanar with keyboard 24.

Accordingly, Haneda et al. cannot anticipate Applicant's amended claim 50. Since claims 51, 53 and 54 depend from independent claim 50, they are not anticipated for at least the same reason. Additional arguments to distinguish the cited patent from claim 50 could have been made, but it is believed that the foregoing discussion is sufficient to overcome the Examiner's rejection.

PATENT APPLICATION

042390.P6233C

Response to the 35 U.S.C. §103(a) Rejection

The Office Action also rejects claims 52, 42, and 48 under 35 U.S.C. §103(a) as being unpatentable over Conway. Applicant believes this rejection has been overcome in view of the amendments made above and the remarks that follow. Applicant would like to point out that since only a single document was used as the basis for this rejection, it is being treated in the same manner as an anticipation rejection.

Applicant would like to point out that claim 50 has been amended as discussed above to recite, among other things, that the display moves in a direction that is substantially coplanar with a keyboard. As pointed out by the Office Action, the display of the device shown by Conway moves around a ball joint. Accordingly, Applicants respectfully submits that Conway cannot anticipate or make at least one feature of claim 50. Applicant would also like to point out that claim 30 recites, among other things, that the viewing surface remains substantially coplanar during movement of the display between the first position and the second position. Thus, Applicant respectfully submits that claims 30 and 50, along with the corresponding dependent claims, cannot be made obvious in view of Conway.

The Office Action also rejects claims 30-39 under 35 U.S.C. §103(a) as being unpatentable over Haneda et al. in view of Ku. Applicants respectfully traverse this rejection. Claim 30 as originally filed recites that the viewing surface remains substantially coplanar during movement of the display between the first position and the second position. As discussed above, Haneda et al. does not teach or suggest this feature. Similarly, as shown in FIGs 4-5 of Ku, the display does not move in a direction that is substantially coplanar with the keyboard. Since both Haneda et al. and Ku are

PATENT APPLICATION

042390.P6233C

each devoid of at least one feature of Applicant's claim 30, the combination of Haneda et al. and Ku cannot make Applicant's claim 30 obvious. Accordingly, Applicant respectfully submits that claims 30-39 are allowable over the art of record.

PATENT APPLICATION

042390.P6233C

Conclusion

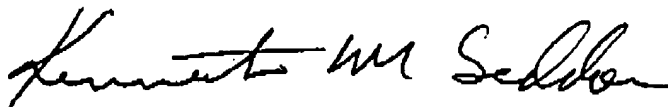
The foregoing is submitted as a full and complete response to the Office Action mailed May 16, 2003, and it is submitted that claims 30-54 are in condition for allowance. Reconsideration of the rejection is requested. Allowance of amended claims 50-54 is earnestly solicited.

Should it be determined that an additional fee is due under 37 CFR §§1.6 or 1.17, or any excess fee has been received, please charge that fee or credit the amount of overcharge to deposit account # 50-0221.

If the Examiner believes that there are any informalities which can be corrected by an Examiner's amendment, a telephone call to the undersigned at (480) 554-9732 is respectfully solicited.

Respectfully submitted,

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Kenneth M. Seddon
Assistant Director
Reg. No. 43,105

Dated: 3-22-04

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